

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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BARBARA SCHNEIDER,

Plaintiff,

v.

Case No. 06-C-345

TSYS TOTAL DEBT MANAGEMENT, INC.,

Defendant.

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**PRELIMINARY ORDER**

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This matter coming before the Court on the parties' request for preliminary approval of a Class Settlement Agreement ("Agreement") between plaintiff, Barbara Schneider, and defendant, TSYS Total Debt Management, Inc. ("Defendant"), and Notice to the class, the Court being fully advised in the premises,

**IT IS HEREBY ORDERED:**

1. The Court finds that the proposed Settlement and Release, the terms of which are fully set forth in the agreement, is fair and reasonable and grants preliminary approval to it.

2. For the purposes of settlement, the parties stipulate to the certification of the class defined as follows: all natural persons in the State of Wisconsin who were sent a collection letter by Defendant, TSYS Total Debt Management, Inc., asserting a debt owed to "Target," seeking to collect a debt for personal, family or household purposes, between March 20, 2005 and August 7, 2006 that was not returned by Postal Service. Based on its records, Defendant estimates that the class described above includes approximately 448 persons. Barbara Schneider is appointed as Class

Representative and Robert K. O'Reilly, Corey Mather, and Ademi & O'Reilly, LLP are appointed as class counsel.

3. A hearing on the fairness and reasonableness of the Agreement and whether the final approval shall be given to it and the requests for fees and expenses by counsel for the class will be held before this Court on November 15, 2007, at 10:00 a.m.

4. The Court approves the proposed form of notice to the class, to be directed to the last known address of the class members as shown in Defendant's records. Defendant will mail or cause to be mailed, notice to class members on or before (30 days from the entry of this Order). Defendant will have the notice sent by any form of U.S. Mail. Defendant will also cause the settlement checks to be distributed.

5. The Court finds that mailing of class notice is the only notice required and that such notice satisfies the requirements of due process and Fed.R.Civ.P.23(c)(2)(B).

6. Class members shall have until 45 days from the date notice to class members is mailed to opt out of or object to the proposed settlement. Any class member who desires to exclude himself or herself from the action must send his or her written request for exclusion in writing to counsel for Plaintiff by that date. Any class member who wishes to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Eastern District of Wisconsin, Milwaukee Division and serve copies of the objection on counsel for both Plaintiff and Defendant by that date. Any objection must include the name and number of the case and a statement of the reason why the objector believes that the Court should find that proposed settlement is not in the best interests of the class. Objectors who have filed written objections to the settlement must also appear at the Final Approval hearing and be heard on the fairness of the settlement.

7. In order to receive a portion of the cash payment under the settlement, the class members must complete and return a claim form by 45 days from the date notice to class members is mailed. The claim form will be provided with the class notice.

**SO ORDERED** this 20th day of July 2007, at Milwaukee, Wisconsin.

/s/ William E. Callahan, Jr.  
WILLIAM E. CALLAHAN, JR.  
United States Magistrate Judge